

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

<p>In re:</p> <p>DAMARYS FIGUEROA RIVERA aka DAMARYS FIGUEROA SSN / ITIN: xxx-xx-7042</p> <p>Debtor(s)</p> <hr/> <p>DLJ Mortgage Capital, Inc. Movant</p> <p>V.</p> <p>DAMARYS FIGUEROA RIVERA aka DAMARYS FIGUEROA</p> <p>Debtor(s)</p> <p>JOSE RAMON CARRION MORALES, Trustee</p> <p>Respondents</p>	<p>CASE NO. 22-01797-MCF13</p> <p>CHAPTER 13</p> <p>INDEX____</p> <p>( ) of acts against property under 11 USC 362 (d) (2)</p> <p>(x) of other acts under 11 USC 362 (d) (1)</p> <p>( ) of co-debtor stay under 11 USC 1201 (c) (2) or 1301 (c) (2)</p>
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**MOTION REQUESTING RELIEF FROM THE  
AUTOMATIC STAY AS UNOPPOSED**

**TO THE HONORABLE COURT:**

**COMES NOW**, SELECT PORTFOLIO SERVICING, INC, as servicing agent of DLJ Mortgage Capital, Inc. (from now on SPS), through its undersigned attorneys and very respectfully states and prays the Court enters an Order lifting the automatic stay:

1. Debtor has not cured mortgage arrears with SPS.
2. On February 14, 2023, the Court entered the following Order: “Minutes of Hearing on Motion to Lift the Stay: ORDER: The Debtor shall cure the arrears within thirty (30) days, or the stay is lifted. [docket # 56]

3. As Debtor has not cured mortgage arrears with SPS, and Debtor does not oppose to the lifting of the automatic stay in favor of SPS, it is hereby requested the Court enters the corresponding Order.

4. Therefore, through this motion, relief from the stay of an act against property is being sought.

**WHEREFORE**, and in view of the aforesaid, it is hereby respectfully requested that an Order be entered in favor of SELECT PORTFOLIO SERVICING, INC, as servicing agent of DLJ Mortgage Capital, Inc., granting relief from the automatic stay, allowing the herein secured creditor to commence or continue with the appropriate State or Federal foreclosure proceeding against the real property located at 1N PASCUA ST, TERRAZAS, GUAYNABO Puerto Rico 00969.

#### **NOTICE**

**Within fourteen (14) days after service as evidenced by the certification, and additional three (3) days pursuant to Fed. R. Bankr. P. 9006 (f) if you were served by mail, any party against whom this paper has been served, or any party to the action who objects to the relief sought herein, shall serve and file and objection or other appropriate response to this paper with the Clerk 's Office Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise, pursuant to Rule 9013-1 (c)(1).**

### **CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY**, that on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification to of such filing to: Trustee, JOSE RAMON CARRION MORALES, PO BOX 9023884 SAN JUAN, PR 00902-3884; Debtor's Attorney, ROBERTO FIGUEROA CARRASQUILLO, PO BOX 186 CAGUAS, PR 00726-0186; Debtor, DAMARYS FIGUEROA RIVERA aka DAMARYS FIGUEROA HC05 BOX 7440 GUAYNABO, PR 00971 and all participants of CM/ECF.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico this 16<sup>th</sup> day of March of 2023.

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